

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
August 21, 2006**

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 10:30 a.m., August 21, 2006, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1, Andrew Kunasek, District 3, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Administrative Coordinator; David Smith, County Manager; and Bruce White, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

STREET LIGHTING IMPROVEMENT DISTRICTS 2006 TAX RATE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to resolve that, based on the budget adopted for each of the listed Street Light Improvement Districts, the respective Board of Directors fixes and determines the following Tax Year 2006 tax rate for each of the Maricopa County Street Lighting Improvement Districts:

- FY 2006-07 Street Lighting Improvement District Secondary Roll Tax Rates and corresponding levies. (C4907006800) (AMD4301-003) (all rates are listed in the 2006 Tax Levy Packet.)

MARICOPA COUNTY AND FLOOD CONTROL DISTRICT 2006 TAX RATE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the Board of Supervisors resolves that:

- Based on the budget it has duly adopted for Maricopa County and the budget adopted by the Maricopa County Flood Control District Board of Directors, it fixes and determines the following Tax Year 2006 tax rate for Maricopa County and the Maricopa County Flood Control District as follows:
 - FY 2006-07 Primary Tax Rate at \$1.1794/\$100 of assessed valuation with a levy of \$398,725,245
 - FY 2006-07 Flood Control District Secondary Tax Rate at \$0.2047/\$100 of assessed valuation with a levy of \$67,096,622, and
- Based on the amount of taxes to be raised by property taxation determined by each governmental entity set forth in the "Maricopa County 2006 Tax Levy Packet", the Maricopa County Board of Supervisors has calculated the numerical tax rates necessary to raise the requested revenues, and pursuant to the direction of each such government entity, levies and the amount of taxes and sets the resulting tax rate, all as set forth in the "Maricopa County 2006 Tax Levy Packet", and
- As required by statute the Maricopa County Board of Supervisors has calculated, and therefore levies the amount of taxes and sets the resulting tax rates for specific statutory purposes as set forth in the "Maricopa County 2006 Tax Levy Packet".

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- Pursuant to A.R.S. §42-18003, the Maricopa County Treasurer is directed to collect taxes as required by law from the persons listed on the tax roll. (C4907004800) (ADM1815) (ADM1900-003)

Prior to the Board's consideration of this item, Fran McCarroll, Clerk of the Board, announced two corrections to the Tax Levy Packet under consideration. Both changes are on schedule H, page 27. They are: 1) Tempe Elementary School #3; Voter Override rate changes from .7826 to .7825, and 2) the "total" rate for the same district changes from 1.3758 to 1.3757. Both corrections were due to rounding error.

APPOINTMENTS AND RESIGNATIONS

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the resignation of Quentin Tolby, Justice of the Peace, Manistee (Glendale) Court, effective August 25, 2006. (C0607012900) (ADM1200-001)

Supervisor Wilson complimented Judge Tolby on being an outstanding civic-minded individual. In addition to being a Justice of the Peace, Judge Tolby has also served as the mayor and city councilman of Glendale.

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the resignation of Sara Vannucci and appoint Alberto Gutier to the Merit System Commission representing Supervisorial District 3 to fill Ms. Vannucci's unexpired term, effective upon Board of Supervisor's approval through December 31, 2008. (ADM3315-001)

Supervisor Kunasek publicly thanked Ms. Vannucci for her service and welcomed Mr. Gutier to the commission.

This action will also accept Sara Vannucci's resignation to the Attorney Investigator's Public Safety Personnel Retirement System Local Board, the Sheriff's Public Safety Personnel Retirement System Local Board, the Park Police Public Safety Personnel Retirement System Local Board and the Corrections Officer Retirement Plan Local Board. (C0607014900) (ADM420-001) (ADM3904-001) (ADM3246-001) (ADM3332-001)

MEMORANDUM OF UNDERSTANDING

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the Memorandum of Understanding between the Maricopa County Board of Supervisors and County Attorney Andrew P. Thomas, regarding legal representation and the Restated Declaration of Trust for Maricopa County Arizona, Self-Insured Trust Fund. This agreement is effective upon approval by both parties through December 1, 2008. (C0607015000) (ADM3703)

SETTING OF HEARING – RIO VERDE FOOTHILLS FIRE DISTRICT

Pursuant to A.R.S. §48-261(A), motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to set a public hearing for 9:00 a.m., September 6, 2006, at the Board of Supervisors Auditorium, 205 West Jefferson on the petitions submitted August 10, 2006, regarding the

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creation of the proposed Rio Verde Foothills Fire District and the verifications completed by the County Recorder and the County Assessor. At the hearing the Board will receive certification of petitions and issue a final order regarding the creation of the Rio Verde Foothills Fire District. (C0607013700) (ADM4435)

DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve receipt of grant funds from the Arizona Criminal Justice Commission (ACJC) for the FY 2006-07 Drug Control and System Improvement Program in the amount of \$1,535,000; comprised of \$462,089 in federal funds and \$764,851 in state funds. The Maricopa County Attorney's Office recognizes the hard cash requirement and has the ability to provide the match of \$308,060 included in the adopted FY 2006-07 General Fund (100) expenditure budget. These funds are to enhance efforts to prosecute drug, gang, and violent crime offenders. The Grant Agreement, ACJC No. PC-07-020, will commence on July 1, 2006, and will terminate on June 30, 2007. The grant funds may not be expended for any indirect costs which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.82%. The non-recoverable indirect cost of administering this grant is \$212,137. Approve FY 2006-07 revenue and expenditure appropriation increases of \$81,500 to the County Attorney's Office (190) Grants Fund (219) associated with the grant. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1907007300)

ADDITIONAL STAFF

Pursuant to A.R.S. § 42-17106B, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the authorization to transfer expenditure authority of \$5,314,376 (annualized \$5,889,348) from General Government (470) Detention Fund (255) Unreserved Contingency (4711) to Correctional Health Services (260) Detention Fund (255) to fund additional staff in order to meet a 100% of demand across various activities. Approval of this action will require an appropriation adjustment increasing the Correctional Health Services (260) Detention Fund (255) budget by \$5,314,376 and decreasing the General Government (470) Detention Fund (255) by \$5,314,376. Approval of this action will not have a net impact on the overall county budget. (C2607003800) (ADM2131)

AMENDMENTS TO THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN

In accordance with A.R.S. §42-17106(B), motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the following amendments to the FY 2006-07 Five-Year Capital Improvement Plan:

Security Building Project. Amend the General Fund County Improvement Fund revenue and expenditure budgets (Year 1), (Department 480; Fund 445; Org 4813) for the Security Building Project (Function Class SSCB) by increasing the total project cost by \$7,970,000, from \$10,321,059 to \$18,291,059. Approve a fund transfer in the amount of \$7,970,000 from Appropriated Fund Balance – Other Programs (Dept. 480, Fund 100, Org 4812) “Unfunded Liabilities” line to the “Transfer to CIP funds” line. Then transfer the same amount from there to the General Fund County Improvement Fund (445), Appropriated Fund Balance Dept. (480), Org (4813), Function Class

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(SSCB). This action will require appropriation adjustments increasing the revenue and expenditure budgets of Appropriated Fund Balance Dept. (480), General Fund County Improvements Fund (445) by \$7,970,000, with offsetting revenue and expenditures eliminations in the Eliminations fund (Dept. 980, Fund 900). These actions will have a countywide impact of zero. (C7007006800) (ADM800-003)

Human Services Campus Project. Amend the Human Services Campus Project (Function Class HHSC) by increasing the project cost by \$2,647,104, from \$6,996,000 to \$9,643,104 by the following:

- Approve a fund transfer in the amount of \$639,912 from Appropriated Fund Balance – Other Programs (Dept. 480, Fund 100, Org 4812) “Unfunded Liabilities” line to the “Transfer to CIP funds” line. Then transfer the same amount from there to the General Fund County Improvements Fund 445, Appropriated Fund Balance Dept. 480, Org 4813. Establish a new project, Human Services Campus, Function Class HHSC, in this fund. This action will require appropriation adjustments increasing the revenue and expenditure budgets of Appropriated Fund Balance Dept. 480, General Fund County Improvements Fund 445 by \$639,912, with offsetting revenue and expenditures eliminations in the Eliminations fund (Dept. 980, Fund 900). These actions will have a countywide impact of zero.
- Approve an increase in the expenditure budget (Year 1) of Appropriated Fund Balance County Improvement Fund (Dept. 480, Fund 435) Human Services Campus project (HHSC) in the amount of \$2,007,192. The source of these funds is donations received specifically for the Human Services Campus. These expenditures are from non-local revenues and are not subject to expenditure limitation.
- Manager at Risk (CMR) Construction Phase Services for the construction of the NOVA/Safe Haven project (Project No. 4050-05-065) at the Human Services Campus located at 11th Avenue and Jackson Approve and authorize the execution of Contract No. FMD-06-042, with D.L. Withers Construction, LC, of Phoenix, Arizona for the Guaranteed Maximum Price (GMP #2) of \$2,546,043.00. This contract is to provide Construction Street in Phoenix. This phase of the project is scheduled for completion in April of 2007 and is located in Supervisorial District 5. (C7007007800) (ADM2519)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board